

STUDENT RECORDS AND ACCESS

The Bow School Board is intent upon maintaining an adequate individual student record system designed to benefit the education of every student and to assist school staff in this process.

It is the responsibility of school personnel to collect and maintain data to assume such benefit and data required by statute and/or State Department regulations. This data shall be presented in a format that meets the needs of students. Emphasis is placed upon accuracy in reporting.

Where the parents of a student are separated or divorced, or for some other reason the student is not in the joint custody of both of his parents, information concerning the student shall be disclosed to both natural parents or persons having legal custody of the student, and to a person having written authority from the legal custodian of the student.

Student records are to be kept in the custody of the principal and may not be transferred outside the district without written permission of the parent in accordance with state and federal laws.

The parents, or legal guardian, shall have access to the student record, and may have copies of any information in the record. Authorized school personnel shall have access to the student records. In general, no information in a student record shall be disseminated without the specific informed written consent of his/her parent. A log shall be kept to record the dissemination of any information in the student record.

The parents, or legal guardian, shall have the right to add information or other relevant material to the record. They shall have the right to request deletion or amendment of any information in the record. The principal, or his designee, will make a decision which may be appealed first to the superintendent and then to the school board.

If a parent or legal guardian wishes to review his/her child's school records, he must complete the appropriate form available from the school secretary. The principal or the counselor will then supervise the gathering of records and meet with the parents to review the contents. The parent/guardian must give a minimum of 24 hours notice before reviewing records.

General source: NHSBA Policy JO, adopted 4/88

Adopted: 8/25/88

Reviewed: 10/13/94

Revised & Accepted by School Board: June 5, 2003

STUDENT RECORDS ACCESSIBILITY
Policies and Procedures

Definitions:

For the purpose of this policy, the Bow School District has the following definitions of terms:

Student-any person who attends, or has attended a school, or is tuitioned by the Bow School District to another educational setting.

Eligible Student-a student or former student who has reached age 18 or is attending a post secondary school.

Parent-either natural parent of a student, a legal guardian, or an individual who is legally empowered to act as a parent or guardian in the absence of the student's parent or guardian.

Education records-any record (in handwriting, print, tapes, films or other medium) maintained by the Bow School District or an agent of the district which is directly related to a student, EXCEPT:

1. A personal record kept by a school staff member if it is kept in the personal possession of the individual who made the record, and information contained in the record has never been revealed or made available to any other person except that staff member's temporary substitute.
2. An employment record which is used only in relation to a student's employment by the Bow School District.
3. Alumni records which contain information about a student if s/he is no longer in attendance at the District and the records do not relate to the person as a student.

Annual notification-A school district is required by Section 99.7 of the FERPA (Family Educational Rights and Privacy Act) regulations to provide parents annual notification of their FERPA rights. If the parents have a primary or home language other than English, the district must effectively notify them. Its policy must include the method it will use to inform the parents. Parents of Bow students will be notified of their FERPA rights annually by publication in the student handbook and/or by school newsletter.

PROCEDURE TO INSPECT EDUCATION RECORDS

Parents of students, or eligible students, may inspect and review the student's education records upon request.

Parents or eligible students should submit to the student's school principal, a written request which identifies as precisely as possible, the record or records s/he wishes to inspect.

The principal (or other appropriate school official) will make the needed arrangements for access as promptly as possible and notify the parent or eligible student of the time and place where the records may be inspected. Access must be given in 45 days or less from the receipt of the request.

REFUSAL TO PROVIDE COPIES

With an understanding that it cannot deny parents access to their children's records, a school district is required to describe the circumstances in which it may deny parents a COPY of a student's education record. For the Bow School District, the following are examples:

- ❖ The district will not provide a parent or eligible student a copy of the student's education record unless failure to do so would effectively prevent the parent or eligible student the right to inspect and review their records.
- ❖ If the student record involves answers to a standardized test, the district will not provide a parent with a copy of standardized test questions.

FEEES FOR COPIES OF RECORDS

The fee for copies will be \$.20 per page. Postage is not included in the fee.

TYPES, LOCATIONS, AND CUSTODIANS OF EDUCATION RECORDS

The following is a list of the types of records that the district maintains, their locations and their custodians:

Type	Location	Custodian
Cumulative school records	Guidance office	Guidance Counselor
Cumulative school records- former students	Guidance office	Guidance Counselor
Health records	Nurse's office	School nurse
Special ed. confidential records	Principal's office	Ass't principal/Spec. Ed Dir.
School transportation records	School bus garage	Transportation Coordinator

DISCLOSURE OF EDUCATION RECORDS

The Bow School District will disclose information from a student's education records only with the written consent of the parent or eligible student, EXCEPT:

1. To school officials who have a legitimate educational interest in the records.

A school official is a person elected to the School Board; a person employed by the district as an administrator, supervisor, instructor or support member; a person employed by or under contract to the district to perform a special task, such as an attorney, auditor, medical consultant or therapist.

A school official has a legitimate education interest if the official is: performing a task related to a student's education; performing a task that is specified in his or her position description or by a contract agreement; performing a task related to the discipline of a student; providing a service or benefit relating to the student or student's family, such as health care, counseling, or job placement.

2. To officials of another school in which a student seeks or intends to enroll upon request of such official.
3. To certain officials of the US Dept. of Education, the Comptroller General, and state and local educational authorities, in connection with certain state or federally supported programs.
4. In connection with a student's request for or receipt of financial aid, as necessary to determine the eligibility, amount or conditions of the financial aid, or to enforce the terms and conditions of the aid.
5. If required by a state law requiring disclosure that was adopted before November 19, 1974.
6. To organizations conducting certain studies for or on behalf of the district.
7. To accrediting organizations to carry out their functions.
8. To parents of an eligible student who claim the student as a dependent for income tax purposes.
9. To comply with a judicial order or a lawfully issued subpoena.
10. To appropriate parties in a health or safety emergency.

RECORDS OF REQUEST FOR DISCLOSURES

The Bow School District will maintain a record of all requests for and/or disclosure of information from a student's education records, excluding request of school officials and requests for directory information. The record will indicate the name of the party making the request, any additional parties to whom it may be disclosed and the legitimate interest the party had to requesting or obtaining the information. The records may be reviewed by the parents or eligible student.

DIRECTORY INFORMATION

The Bow School District designates the following items as directory information: student name, address, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, most recent previous school attended and photograph. The district may disclose any of those items without prior written consent, unless notified in writing to the Building Principal by September 30 of each school year.

MILITARY RECRUITERS

Military recruiters or institutions of higher learning shall have access to secondary school students' names, addresses, and telephone listings unless a secondary student or the parent of the student requests that such information not be released without prior written parental consent. The district shall notify parents of the option to make such a request and shall comply with any requests received.

CORRECTION OF EDUCATION RECORDS

Parents or eligible students have the right to ask to have records corrected that they believe are inaccurate, misleading, or in violation of their privacy rights. Following are the procedures for requesting correction of records:

1. Parents or the eligible student must request the Bow School District to amend the record. They should identify the part of the record they want changed and specify why they believe it is inaccurate, misleading or in violation of the student's privacy or other rights.
2. The Bow School District may comply with the request or it may decide not to comply. If it decides not to comply, the District will notify the parents or eligible student, reasonably in advance, of the date, place, and time of the hearing.
3. The hearing will be conducted by a hearing officer who is a disinterested party; however, the hearing officer may be an official of the district. The parents or eligible student will be afforded a full and fair opportunity to present evidence relevant to the issues raised in the original request to amend the student's education records. The parents or student may be assisted by one or more individuals, including an attorney.
4. The Bow School District will prepare a written decision based solely on the evidence presented at the hearing. The decision will include a summary of the evidence presented and the reason for the decision.
5. If the Bow School District decides that the challenged information is not inaccurate, misleading, or in violation of the student's right of privacy, it will notify the parents or eligible student that they have a right to place in the record a statement commenting on the challenged information and/or a statement setting forth reasons for disagreeing with the decision.
6. This statement will be maintained as part of the student's education records as long as the contested portion is maintained. If the Bow School District discloses the contested portion of the record, it will also disclose the statement.
7. If the Bow School District decides that the information is inaccurate, misleading or in violation of the student's right of privacy, it will amend the record and notify the parents or eligible student, in writing, that the records has been amended.

Adopted: 04/11/91

Reviewed: 10/13/94

Revised & Accepted by School Board: June 5, 2003

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Parent/Guardian Request to Review Student Records

I hereby do request to review records for the following student:

The records to be reviewed are:

_____ Academic records

_____ Special education records

Signature

Relationship to student

Date of Request

Adopted: 08/25/88

Reviewed: 10/13/94

Revised and Accepted by School Board: June 5, 2003

Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students."

- Parents or eligible students have the right to inspect and review the student's education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.
- Parents or eligible students have the right to request that a school correct records which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.
- **Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record.** However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):
 - School officials with legitimate educational interest;
 - Other schools to which a student is transferring;
 - Specified officials for audit or evaluation purposes;
 - Appropriate parties in connection with financial aid to a student;
 - Organizations conducting certain studies for or on behalf of the school;
 - Accrediting organizations;
 - To comply with a judicial order or lawfully issued subpoena;
 - Appropriate officials in cases of health and safety emergencies; and
 - State and local authorities, within a juvenile justice system, pursuant to specific State law.

Schools may disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. However, schools must tell parents and eligible students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them. Schools must notify parents and eligible students annually of their rights under FERPA. The actual means of notification (special letter, inclusion in a PTA bulletin, student handbook, or newspaper article) is left to the discretion of each school.

For additional information or technical assistance, you may call (202) 260-3887 (voice). Individuals who use TDD may call the Federal Information Relay Service at 1-800-877-8339.

Or you may contact us at the following address:

**Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-5920**

(Copied from ED.GOV FERPA website)